

SENATE BILL 3237
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 12
and Title 29, relative to eminent domain.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 17, is amended by adding the following language as a new part:

§ 29-17-1301.

As used in this act, unless the context otherwise requires:

(1) "Municipality" means any town, city, metropolitan government, or county and any agency or organization that has been authorized by a town, city, metropolitan government or county to exercise the power of eminent domain; and

(2) "State" means the state of Tennessee, including all state agencies, departments, and other bodies that carry out state functions and programs and any agency or organization that has been authorized by the state to exercise the power of eminent domain.

§ 29-17-1302.

Prior to the taking of private property by the state or a municipality under the power of eminent domain, three (3) appraisals of the property shall be obtained. The condemning authority shall select one (1) appraiser. The owner of the property to be condemned shall select one (1) appraiser. The two (2) appraisers so selected shall select the third appraiser. Each such appraiser shall possess the designation Member of the Appraisal Institute (MAI). The condemning authority shall pay for the three (3) appraisals.

§ 29-17-1303.

Notwithstanding any provision of law to the contrary, whenever the state or a municipality condemns and takes private property through eminent domain under this chapter; title 29, chapter 16; or any other provision of law, the condemning authority shall pay to the owner for the property three (3) times the appraised value of the property as determined by the average of the three (3) values found by the three (3) appraisers required under § 29-17-1302.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.